IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

INSOLVENCY PETITION NO.83 OF 2003

Re: S. Manmohandas & anr. ..Debtor.

Ex-parte:

Kishain Metharam Sitlani ..Substituted Petitioning Creditor.

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Ms.K.S.Lalwani for the Substituted Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

15th March, 2005.

P.C. :

Counsel appearing on behalf of the Petitioning Creditor states that a conditional order was passed against the Judgment Debtors in Insolvency Petition 95 of 2003 under which time was granted to pay the outstanding dues by 21st December, 2004. Counsel states that since there was a default, an order of adjudication has already

been passed in terms of the conditional order that was passed by the Court. In the circumstances, this Petition does not survive and is accordingly disposed of.

However, counsel appearing on behalf of the Petitioning Creditor would be at liberty to apply for revival of proceedings if there is change in circumstances in the earlier proceedings.